

U.S. Department of Justice



United States Attorney
Southern District of New York

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86 Chambers Street
New York, New York 10007

January 11, 2023

By ECF

The Honorable Barbara C. Moses
United States Magistrate Judge
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, NY 10007

MEMO ENDORSED

Re: *Binns-Harty-Bolt v. McDonough*, 21 Civ. 7276 (PAE) (BCM)

Dear Judge Moses:

This Office represents Denis McDonough, in his official capacity as Secretary of Veterans Affairs (the "Government"). I write jointly with settlement counsel for plaintiff, Susanne Toes Keane, to respectfully request a stay of the action, including all discovery deadlines and the Court's consideration of the pending motion to dismiss, pending the outcome of mediation. In addition, the parties request that we provide an update on the outcome of mediation to Your Honor within seven days after the mediation is concluded. This is the parties first request for a stay in this action.

A mediator was assigned to this case on January 10, 2023, and counsel for the parties have an initial meeting with the mediator on January 19, 2023, where we will set a date in late February for the mediation. This will allow the parties time to begin meaningful discussions before the mediation session. Granting a stay will provide the parties an opportunity to maximize their limited resources to focus on mediation.

We thank the Court for its consideration of this request.

Application GRANTED. This case is hereby STAYED pending the outcome of mediation. Notwithstanding the stay, the parties shall submit a joint letter informing the Court of the date of the mediation once that date is set. SO ORDERED.

Barbara Moses
United States Magistrate Judge
January 11, 2023

Respectfully,

DAMIAN WILLIAMS
United States Attorney
Southern District of New York

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